

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA OF
NORTHERN DIVISION

UNITED STATES OF AMERICA,)
)
v.) CASE NO. 2:04-cv-909-MEF
)
CHARLES B. MOSS)

ORDER

On July 29, 2007, the Magistrate Judge filed a Recommendation (Doc. #36) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is the

ORDER, JUDGMENT and DECREE of the court that:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. That the motion filed by Moss on March 2, 2007 (Doc. #33) is DENIED and this case is DISMISSED, as Moss has failed to obtain the requisite order from the Eleventh Circuit Court of appeals authorizing this court to consider a successive 28 U.S.C. § 2255 motion.

DONE this the 26th day of August, 2008.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE